



Grand Chamber referral request in Abu Qatada case

On 17 January 2012 a Chamber of the European Court of Human Rights delivered a judgment¹ in the case [Othman \(Abu Qatada\) v. the United Kingdom](#) (application no. 8139/09) in which it found that diplomatic assurances would protect Abu Qatada from torture but that he could not be deported to Jordan while there remained a real risk that evidence obtained by torture would be used against him.

At 11 p.m. French time on Tuesday 17 April 2012, the Court received a letter from Omar Othman asking for his case to be referred to the Grand Chamber. Mr Othman considered that the Chamber, in its judgment of 17 January 2012, was wrong to decide that he would not be at risk of torture if deported to Jordan.

The Panel will decide on whether the referral request complies with the conditions laid down in Article 43 of the European Convention on Human Rights for the admissibility of a referral request and, if so, whether the case should be referred to the Grand Chamber. Information about the working methods of the Grand Chamber Panel is set out in this [document](#).

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.

¹ Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following its delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution